

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA )  
v. ) No. 2:23-CR-00120-10-JRG-CRW  
DUSTIN MATTHEW WELLS )

## ORDER

This matter is before the Court on United States Magistrate Judge Cynthia R. Wyrick's Report and Recommendation [Doc. 222], in which Judge Wyrick recommends the Court accept Defendant's guilty plea to the offense charged in Count Two of the Indictment and adjudge him guilty of that charge. Neither party has timely objected to the report and recommendation. *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b).

Having reviewed the record, the Court agrees with Judge Wyrick's recommendation. The Court therefore **ACCEPTS IN WHOLE** the report and recommendation under 28 U.S.C. § 636(b)(1) and Federal Rule of Criminal Procedure 59(b). For the reasons in the report and recommendation, which the Court adopts and incorporates into this Order, the Court **ACCEPTS** Defendant's guilty plea, and Defendant is hereby **ADJUDGED** guilty of the offense charged in Count Two of the Indictment. The Court will defer a decision as to whether to accept the Plea Agreement [Doc. 205] until after it has received a presentence investigation report from the United States Probation Office. Defendant **SHALL** remain in custody pending his sentencing hearing.

So ordered.

ENTER:

s/J. RONNIE GREER

**UNITED STATES DISTRICT JUDGE**